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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,277	07/25/2000	M. Todd Schomer	05156.00004	6790

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EXAMINER

HERNDON, HEATHER R

ART UNIT PAPER NUMBER

2176

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/625,277

Applicant(s)

SCHOMER, M. TODD

Examiner

Sanjiv D. Shah

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to amendment filed on 6/21/2004. Abandonment is withdrawn in view of petition. Claims 1-15 are pending. Claims 16-17 are cancelled.

Drawings

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the labels are handwritten that are not readable. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

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Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim (Patent # 6,330,577).

Regarding claims 1, Kim teaches the claimed invention of previewing fonts on a computer in a font preview area as shown in fig 8, element 660.

Displaying the text in first format in the font preview display area (See fig 8, element 660 and fig 7, element 743.) wherein the sample font text in English language is presented.

Concurrently displaying the same text in a second font format differing from the first format in the font preview display area is shown in fig 8, element 660, and fig 7, element s742, wherein a Korean language sample of same text is presented concurrently which is a separate format from the English language. See. Col. 2, lines 51-54.

Regarding claims 2, 3, the text as taught by Kim is in alphanumeric format that is equivalent to paragraph display format as shown in fig 8, element 660 and described in col. 2, lines 42-55, wherein the text is generated in English, other language and numbers.

Regarding claim 4, Kim teaches the step of displaying in response to real time input is shown in fig 7a, element s730 and fig 8, element 630. See col. 5, lines 11-15.

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Regarding claims 5, 6, 7, Kim teaches the claimed invention of format including font type and size is shown in fig 8, elements, 830, 840 and 810. The displayed text is in waterfall display format.

Regarding claim 8, Kim teaches the pull down font menu as shown in fig 8, element 630 that teaches the fonts are part of predefined font group.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (Patent # 6,330,577).

Regarding claims 9 and 17, Kim teaches the claimed invention of displaying the font in a preview area as described above with respect to claim 1 above. Kim teaches selecting the font as described above but fails to specifically teach selecting two fonts and displaying two fonts as claimed. However, it would have been obvious to include plural fonts in the Kim's preview window because it is suggested by Kim as shown in fig 7A, element s741.

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Therefore, it would have been obvious for one of ordinary skill in the art to modify the teaching of Kim to include selecting and displaying plural fonts in the preview window because it would save the time over individual selection.

Regarding claim 10, Kim teaches the step of displaying in response to real time input is shown in fig 7a, element s730 and fig 8, element 630. See col. 5, lines 11-15.

Regarding claim 11, Kim teaches the pull down font menu as shown in fig 8, element 630 that teaches the fonts are part of predefined font group.

Regarding claim 12, Kim teaches that the two fonts are different form of same font as shown in fig 7a, element s741, wherein the font is displayed in Korean and English language.

Regarding claims 13, 14, Kim teaches the claimed invention of format including font type and size is shown in fig 8, elements, 830, 840 and 810. The displayed text is in waterfall display format.

Regarding claim 15, Kim teaches generating the output to printer as shown in fig 3.

Response to Arguments

7. Applicant's arguments filed 6/21/2004 have been fully considered but they are not persuasive.

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Applicant argues that the cited references fails to display same text in two different font format. Specifically, applicant argues that Kim reference discloses displaying a word or phrase in a first language, such as Korean, and simultaneously displaying the same word or phrase in a second language, such as English. The Kim patent, however, does not teach or suggest concurrently displaying the same text. For example, if the English text "word" is displayed, that word displayed in Korean cannot be the same text, in that the Korean alphabet does not have the same text "Word".

Examiner disagrees. Specifically, the claimed limitation does not limit the different fonts in same language. Therefore different fonts in different language as taught by Kim is applicable to claimed limitation. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., font in same language) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Therefore applicant's arguments are not persuasive.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within


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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanjiv D. Shah whose telephone number is (571) 272-4098. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-7361.


Sanjiv D. Shah
Primary Examiner
Art Unit 2624

SDS
June 25, 2006